



GENERAL ASSEMBLY COMMONWEALTH OF KENTUCKY

2005 REGULAR SESSION

HOUSE BILL NO. 197

WEDNESDAY, FEBRUARY 23, 2005

The following bill was reported to the Senate from the House and ordered to be printed.

RECEIVED AND FILED
DATE March 11, 2005
10:24 a.m.

TREY GRAYSON
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Charlie Adkinson

AN ACT relating to nonresident student contracts.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

1 Section 1. KRS 157.350 is amended to read as follows:

2 Each district which meets the following requirements shall be eligible to share in the
3 distribution of funds from the fund to support education excellence in Kentucky:

4 (1) Employs and compensates all teachers for not less than one hundred eighty-five
5 (185) days. The Kentucky Board of Education, upon recommendation of the chief
6 state school officer, shall prescribe procedures by which this requirement may be
7 reduced during any year for any district which employs teachers for less than one
8 hundred and eighty-five (185) days, in which case the eligibility of a district for
9 participation in the public school fund shall be in proportion to the length of time
10 teachers actually are employed;

11 (2) Operates all schools for a term as provided in KRS 158.070 and administrative
12 regulations of the Kentucky Board of Education. If the school term is less than one
13 hundred eighty-five (185) days for any reason not approved by the Kentucky Board
14 of Education on recommendation of the chief state school officer, the eligibility of a
15 district for participation in the public school fund shall be in proportion to the
16 length of term the schools actually operate;

17 (3) Compensates all teachers on the basis of a single salary schedule and in conformity
18 with the provisions of KRS 157.310 to 157.440;

19 (4) Includes no nonresident pupils in its average daily attendance, except as follows:

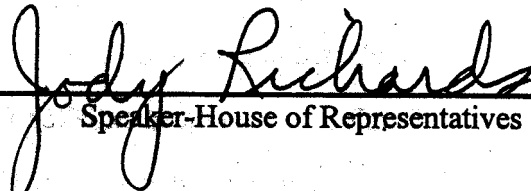
20 (a) Pupils listed under a written agreement, *which may be for multiple years,*
21 with the district of the pupils' legal residence. If an agreement cannot be
22 reached, either board may appeal to the chief state school officer for
23 settlement of the agreement. The chief state school officer shall have thirty
24 (30) days to establish the terms of agreement. Either board may appeal the
25 chief state school officer's decision to the Kentucky Board of Education. The

1 Kentucky Board of Education shall have sixty (60) days to approve or amend
2 the agreement of the chief state school officer. ~~[In consideration of these~~
3 ~~appeals, the chief state school officer and the Kentucky Board of Education~~
4 ~~shall give preference to the best interest of the individual student.]~~ This
5 subsection does not apply to those pupils enrolled in an approved class
6 conducted in a hospital; and

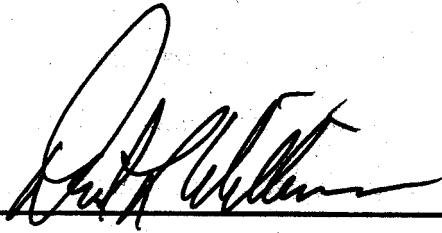
7 (b) Pupils who have been expelled for behavioral reasons who shall be counted in
8 average daily attendance under KRS 157.320;

9 (5) Any secondary school which maintains a basketball team for boys for other than
10 intramural purposes, shall maintain the same program for girls;

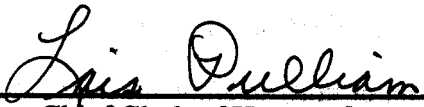
11 (6) Any school district which fails to comply with subsection (5) shall be prohibited
12 from participating in varsity competition in any sport for one (1) year.
13 Determination of failure to comply shall be made by the Department of Education
14 after a hearing requested by any person within the school district. The hearing shall
15 be conducted in accordance with KRS Chapter 13B. A district under this subsection
16 shall, at the hearing, have an opportunity to show inability to comply.



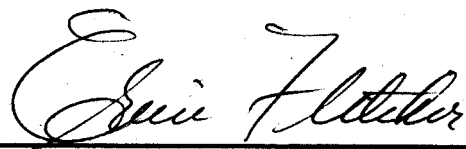
Speaker-House of Representatives



President of the Senate

Attest: 

Chief Clerk of House of Representatives

Approved 

Governor

Date 